

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

SANDRA DeMUTH,

Plaintiff,

v.

DECISION AND ORDER
16-CV-125A

LINDA McMAHON, et al,

Defendants.

This case was referred to Magistrate Judge Hugh B. Scott pursuant to 28 U.S.C. § 636(b)(1) for the conduct of pretrial proceedings. On February 21, 2019, Magistrate Judge Scott filed a Report and Recommendation (Dkt. No. 45) recommending that Defendants Linda McMahon and the U.S. Small Business Administration's motion for summary judgment pursuant to Fed. R. Civ. P. 56 (Dkt. No. 29) be granted.

On March 7, 2019, Plaintiff filed objections to the Report and Recommendation (Dkt. No. 46). On March 19, 2019 defendant Linda McMahon, as Administrator of the U.S. Small Business Administration, filed a response to Plaintiff's objections (Dkt. No. 48), and the matter was deemed submitted.

Pursuant to 28 U.S.C. §636(b)(1), this Court must make a *de novo* determination of those portions of the Report and Recommendation to which objections have been made. Upon *de novo* review, and after carefully reviewing the submissions from the parties, the Court adopts Magistrate Judge Scott's conclusions. It is, therefore

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, Defendants' motion for summary judgment (Dkt. No. 29) is granted.

The Clerk of the Court shall take all steps necessary to close the case.

IT IS SO ORDERED.

s/Richard J. Arcara
HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT COURT

Dated: May 3, 2019